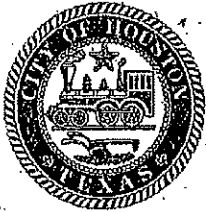


EXHIBIT JJ

**Draycott Deposition Exhibit No. 7,
HOU00002589-2598**



pro 8742000
CITY OF HOUSTON

Fire Department

CIVIL SERVICE
COMMISSION
HOUSTON, TEXAS

204
Interoffice

2011 FEB -2 PM 3:44 Correspondence

To: Firefighters' and Police Officers'
Civil Service Commission of
the City of Houston

From: Terry Garrison
Fire Chief

Date: 2-2-11

Subject: 15-Day Temporary Suspension
Firefighter/EMT Ena Jane Draycott
Employee #116978
Case # 2010-0537

In accordance with the applicable provision of Chapter 143 of the Texas Local Government Code, you are hereby notified that I have temporarily suspended, without pay, Firefighter/EMT (FF/E) Ena Jane Draycott for fifteen (15) working days. Should FF/E Draycott elect to appeal this suspension as provided below, she will serve the suspension based on the outcome of her appeal.

FF/E Ena Jane Draycott has been employed with the City of Houston since August 22, 2000. Her employment history includes the following disciplinary action:

Date	Misconduct	Discipline Imposed
11/12/02	Respect of Rank and Insubordination	5-Day Temporary Suspension

Firefighter/EMT Ena Jane Draycott has been suspended for her acts and misconduct pursuant to Rule 13, Section 5 and Section 6, Subsections (b), (d), (e), (k), (l), and (o) of the City of Houston Civil Service Commission Rules Governing Members of the Fire and Police Departments, which read as follows:

SECTION 5 - DISCIPLINARY SUSPENSIONS

The head of either Fire or Police Departments shall have the power to suspend any officer or employee under his jurisdiction or supervision for disciplinary purposes for reasonable periods, not to exceed fifteen (15) days; provided that in every such case, the department head shall file with the Commission within one hundred twenty (120) hours, a written statement of action, and the Commission shall have the power to investigate and to determine whether just cause exists therefor. In the event the department head fails to file said statement with the Commission within one hundred twenty (120) hours, the suspension shall be void and the employee shall be entitled to his full salary. The Commission shall have the power to reverse the decision of the department head and to instruct him immediately to restore such employee to his position. In the event such department head refuses to obey the order of the Commission then the provisions with reference to salaries of the employees and to the discharge of the department head as well as other provisions of Section 2 of this rule pertaining to such refusal of the department head shall apply.

SECTION 6 - CAUSES OF DISMISSALS AND SUSPENSIONS

No Fireman or Policeman shall engage in or be involved in any one of the following acts or conduct and the same shall constitute cause for the removal from service or the suspension of a

Firefighters' & Police Officers'
Civil Service Commission of the
City of Houston
Re: Ena Jane Draycott
Page 2

CIVIL SERVICE
COMMISSION
HOUSTON, TEXAS

2011 FEB -2 PM 3:44

Fireman or Policeman.

- (b) That the employee has been guilty of an immoral or criminal act;
- (d) That the employee has violated any of the provisions of the Charter of the City of Houston or has violated any of the provisions of the Firemen's Civil Service laws, or the rules and regulations of the Civil Service Commission, or the rules or special orders of the Fire and Police Departments;
- (e) That the employee has been guilty of acts which amount to an act of insubordination, or to disgraceful conduct, whether such acts were committed while on duty or off duty;
- (k) That the employee has been guilty of any conduct unbecoming to an officer or employee of the City of Houston;
- (l) That the employee has willfully shown lack of good moral character; and
- (o) That the employee has been guilty of conduct which was prejudicial to good order of the Fire and Police Departments or the City of Houston.

By her misconduct hereinafter detailed, FF/E Draycott has also violated certain provisions of the Rules and Regulations of the City of Houston Fire Department which have been adopted by the Civil Service Commission of the City of Houston and made applicable herein under Rule 13, Section 5 and Section 6, set forth above, of the City of Houston Civil Service Commission Rules Governing Members of the Fire and Police Departments. FF/E Draycott had access to a copy of said rules and was required to have read and conducted herself by, and in accordance with, the same.

The specific provisions which FF/E Draycott has violated include, but are not limited to:

HOUSTON FIRE DEPARTMENT GUIDELINES - RULES AND REGULATIONS: Volume 1, Reference 1-01:

6.01 - Obedience to Rules of Conduct: Members shall be governed by the following Rules and Regulations. No plea of ignorance of any rules or regulations will be accepted as an excuse for improper conduct. Violation of any of these rules shall be considered sufficient cause for dismissal, demotion, suspension, or other disciplinary action.

6.02 - Responsibility to Read, Understand and Comply: Members are required to read, sign, understand, and comply with all departmental rules/regulations, guidelines, orders, bulletins, and other directives as issued. These will be read at roll call or morning meetings and placed in the appropriate binders for all members to sign and reference.

6.03 - Abide by Laws: Members shall abide by the laws of the United States, the State of Texas, the ordinances of the City of Houston, the rules of the Civil Service Commission, the general orders, bulletins and the rules of conduct of the Houston Fire Department.

Firefighters' and Police Officers'
Civil Service Commission of the
City of Houston
Re: Ena Jane Draycott
Page 3

CIVIL SERVICE
COMMISSION
HOUSTON, TEXAS

2011 FEB -2 PM 3:40

7.06 - Conduct and Behavior: Members, whether on or off duty, shall be governed by the ordinary and reasonable rules of good conduct and behavior of law abiding citizens. They shall not commit any acting tending to bring reproach or discredit upon themselves or the department.

The facts that serve as the basis for FF/E Draycott's temporary suspension were reported as follows:

An Office of Inspector General (OIG) investigation based on a formal complaint revealed that on or about August 9, 2010, FF/E Ena Jane Draycott was arrested by Constable Precinct 4 Officer T. Thomas for shoplifting at the Wal-Mart store located at 21150 Kuykendahl Road, Spring, Texas.

FF/E Draycott exited the store without paying for the items in her possession. The property had total value of \$218.90. The investigation revealed sufficient evidence to prove that by her actions FF/E Draycott committed the offense of theft.

The Houston Fire Department is a professional organization that holds its members to a high standard of conduct. FF/E Draycott's failure to comply with the fundamental principles to which the department holds its members accountable - especially those so basic as fulfilling her responsibility to abide by the laws of the State of Texas - brings reproach upon herself and the department. Such misconduct is out of line with the Department's high standard and is clearly detrimental to its good order.

I have reviewed and considered the entire investigative file in this matter, including FF/E Draycott's own statement. After considering all facts and circumstances, I have suspended FF/E Draycott's employment with the City of Houston as indicated above for this violation, to ensure that she is aware of the seriousness and the need to comply with departmental policy. Therefore, FF/E Draycott is reminded that, in all future matters, she is wholly required to respect and adhere to all HFD rules and regulations, and that any further violations may result in a recommendation for more serious disciplinary action, up to and including indefinite suspension.

A copy of this letter is being personally delivered to FF/E Draycott, and she is hereby informed that she has fifteen (15) calendar days after receipt of this memorandum to file a written appeal with the Firefighters' and Police Officers' Civil Service Commission of the City of Houston. FF/E Draycott is informed that, pursuant to Section 143.1016 of Texas Local Government Code, she may elect to appeal to an independent hearing examiner instead of to the Commission. If she elects to appeal to a hearing examiner, she waives all rights of appeal to a District Court, except as provided by Subsection (j) of Section 143.1016.


Terry Garrison
Fire Chief

cc: Ena Jane Draycott
Employee #116978

STATE OF TEXAS

§

COUNTY OF HARRIS

§


CIVIL SERVICE
COMMISSION
HOUSTON, TEXAS

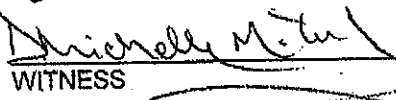
2011 FEB -2 PM 3:41

RECEIPT OF LETTER OF TEMPORARY SUSPENSION

THIS IS TO ACKNOWLEDGE THAT I, ENA JANE DRAYCOTT, EMPLOYEE NUMBER 116978, BEING EMPLOYED BY THE FIRE DEPARTMENT OF THE CITY OF HOUSTON AS AN FIREFIGHTER/EMT, HAVE ON THIS DAY RECEIVED A COPY OF THE LETTER OF TEMPORARY SUSPENSION FROM FIRE CHIEF TERRY GARRISON TO THE FIREFIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION OF THE CITY OF HOUSTON. BY VIRTUE OF THIS LETTER, I AM INFORMED THAT I WILL BE SUSPENDED WITHOUT PAY FOR FIFTEEN (15) WORKING DAYS. I AM INFORMED OF THE REASONS FOR MY TEMPORARY SUSPENSION AND THAT I HAVE FIFTEEN (15) DAYS AFTER RECEIPT OF THIS MEMORANDUM WITHIN WHICH TO FILE A WRITTEN APPEAL WITH THE FIREFIGHTERS' & POLICE OFFICERS' CIVIL SERVICE COMMISSION OF THE CITY OF HOUSTON. I AM INFORMED THAT, PURSUANT TO SECTION 143.1016 OF TEXAS LOCAL GOVERNMENT CODE, I MAY ELECT TO APPEAL TO AN INDEPENDENT HEARING EXAMINER INSTEAD OF TO THE COMMISSION. IF I ELECT TO APPEAL TO A HEARING EXAMINER, I WAIVE ALL RIGHTS OF APPEAL TO A DISTRICT COURT, EXCEPT AS PROVIDED BY SUBSECTION (J) OF SECTION 143.1016.

SIGNED THIS THE 2nd DAY OF February, 2011.


ENA JANE DRAYCOTT


WITNESS



CITY OF HOUSTON

Fire Department

CIVIL SERVICE
COMMISSION
HOUSTON, TEXAS

Interoffice

2011 FEB -2 PM 3:41 Correspondence

To: Carl E. Matejka Sr.
Executive Assistant Fire Chief
Operations

From: Terry Garrison
Fire Chief

Date: 2-2-11

Subject: 15-Day Temporary Suspension
Firefighter/EMT Ena Jane Draycott
Employee #116978
Case # 2010-0537

In accordance with the applicable provision of Chapter 143 of the Texas Local Government Code, you are hereby notified that I have temporarily suspended, without pay, FF/E Ena Jane Draycott. Should FF/E Draycott elect to appeal this suspension, she will serve the suspension based on the outcome of her appeal.

A handwritten signature in black ink, appearing to read "Terry Garrison", is written over a horizontal line.

Terry Garrison
Fire Chief

cc: District Chief

Actual suspension papers are available for review by district chiefs and station captains in the Staff Service office located at 600 Jefferson, 7th Floor.

CONFIDENTIAL

Jane Draycott
24225 Decker Prairie Rosehill Rd.
Magnolia, Texas 77355

February 10, 2011

City Of Houston
The Firefighters' and Police Officers' Civil Service Commission
c/o Employee Relations/Labor Relations
611 Walker, 4th Floor, Room 411
Houston, Texas 77002

BY HAND DELIVERY

APPEAL OF TEMPORARY SUSPENSION
Case # 2010-0537

Name: Jane Draycott
Employee Number: 116978
Job Classification: Firefighter / EMT
Department: Houston Fire Department

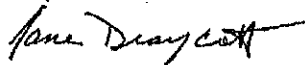
2011 FEB 10 PM 3:55
CIVIL SERVICE
COMMISSION
HOUSTON, TEXAS

Dear Commission:

I was notified by correspondence from Fire Chief Terry Garrison dated February 2, 2011 that I was temporarily suspended without pay for 15 working days.

By this letter, I am notifying the Commission that I am appealing that Temporary Suspension. I also notify the Commission that I elect, pursuant to Section 143.1016 of Texas Local Government Code, to appeal this temporary suspension to an independent hearing examiner instead of to the Commission.

Cordially,



Jane Draycott

c: Joe Ahmad
Ahmad, Zavitsanos & Anaipakos, P.C.
1221 McKinney St., # 3460
Houston, Texas 77010
713-581-8214

Joe Ahmad @ aza.law.com

Tim Higley
Sr. Assistant City Attorney
City of Houston
P.O. Box 368
Houston, Texas 77001-0368

CONFIDENTIAL

HOU00002594

Human Resources Department
Purchase Requisition

Date: 3/15/2011 Program: Fire Department
Fund: 1000 Cost Center: 1200070001 GL#: 520142
Current Budget Amount: _____ YTD Obligation: _____

It is mandatory for a subject text description of expenditures to be included in the space below.
This information is recorded in the General Ledger accounting records to encapsulate transaction history.

70 390 00090 11 FIREFIGHTER ENA JANE DRAYCOTT - 15-DAY TEMPORARY SUSPENSION
INITIAL ADMINISTRATIVE FEE FROM AMERICAN ARBITRATION ASSOCIATION FOR ABOVE APPELLANT(S)

Line	Item Number	Qty.	Unit	Full Description	Unit Cost	Total Cost
1	10030932	1		70 390 00090 11	\$225.00	\$225.00
2				FIREFIGHTER ENA JANE DRAYCOTT		
3				15-DAY TEMPORARY SUSPENSION		
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						

Total cost: \$225.00

Unobligated balance after this purchase: _____

Ames
ALISA M. FRANKLIN-BROCKS 1 3/15/2011
PREPARED BY: _____ DATE
ADMINISTRATOR APPROVAL: 1 3/15/2011
DATE
DIRECTOR APPROVAL: _____ DATE

113500
VENDOR: _____
AMERICAN ARBITRATION ASSOCIATION
CONTACT: _____
ADDRESS: _____
PHONE #: _____
FAX #: _____



American Arbitration Association
Dispute Resolution Services Worldwide

13455 Noel Road - Suite 1750
Dallas, TX 75240

DATE	AMOUNT DUE
02/27/2011	\$225.00
CASE#	
70-390-00090-11 02 MAJA-C	

Payment Due Upon Receipt

INVOICE

City of Houston
Employee Relations
P. O. Box 1562
Houston TX 77251

Representing City of Houston
Re: Firefighter Ena Jane Draycott
15-day Temporary Suspension



2011 MAR 15 AM 10:25
CIVIL SERVICE
COMMISSION
HOUSTON, TEXAS

Please Detach and Return with Payment to the Above Address

Please Indicate Case No. on check



American Arbitration Association
Dispute Resolution Services Worldwide

13455 Noel Road - Suite 1750
Dallas, TX 75240

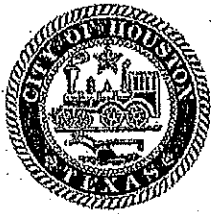
NAME City of Houston
Employee Relations
P. O. Box 1562
Houston TX 77251

Representing City of Houston
Re: Firefighter Ena Jane Draycott
15-day Temporary Suspension

STMT DT	CASE#	PREVIOUS BALANCE	CURRENT CREDITS	CURRENT CHARGES	BALANCE DUE
02/27/2011	70-390-00090-11 02 MAJA-C	0.00	0.00	225.00	225.00
DATE	INV#/REF#	TRANSACTIONS		CHARGES	CREDITS
02/17/2011	10109916	Initial Administrative Fee		225.00	
Reviewed By: <u>Alisa M. Franklin-Brooks</u>		<u>3.15.11</u>			
		Date			
Approved By: <u>Kelly Shreck</u>		<u> </u>			
		Date			
Approved By: <u>Angela Nguyen</u>		<u> </u>			
		Date			
Totals				225.00	0.00
Transactions from 02/17/2011 to 02/27/2011					

Remarks: For any inquiry please call: 866-440-1795. This invoice reflects financial activity for this party only, for the period stated above.

EIN: 13-0429745



CITY OF HOUSTON

Fire Fighters' & Police Officers' Civil Service
Commission

MAYOR
Annise D. Parker

COMMISSIONERS

Carole A. Pinkett -
Vice Chair
Joseph G. Sulliz -
Commissioner
J. Richard Hall -
Commissioner

Omar C. Reid, Secretary
Civil Service Commission

P.O. Box 1562
Houston, Texas 77251-1562

T. 713.837.9300
F. 713.837.9488
www.cityofhouston.gov

VIA e-mail - jaram@adr.org

February 15, 2011

Mary Jara
Employment Supervisor
Labor, Elections, and Employment Division
American Arbitration Association
13455 Noel Road, Suite 1750
Dallas, TX 75240

Dear Ms. Barton:

Pursuant to the TEX. LOCAL GOV'T CODE, Section 143.1016, I hereby request a list of seven arbitrators.

The parties to this matter are City of Houston Firefighter Ena Jane Draycott, Employee #116978, Appellant, and Terry Garrison Chief of the Houston Fire Department, Houston, Texas, who has taken disciplinary action against Firefighter Draycott.

The above - named Appellant requested an independent third party Hearing Examiner on February 10, 2011 at 3:55 PM pursuant to the TEX. LOCAL GOV'T CODE, Chapter 143. The matter to be submitted to the hearing examiner involves the 15-day temporary suspension of the employee by Chief Garrison on February 2, 2011, for violations of the Civil Service Commission Rules and regulations. Therefore, pursuant to the above stated code, I am requesting said list of Arbitrators.

If I may be of assistance, please contact me at (713) 837-9314.

Sincerely,

A handwritten signature in black ink, appearing to read "Omar C. Reid".

Omar C. Reid
Human Resources Director

OCR:amfb

cc: Joe Ahmad, HPFFA
Chief Terry Garrison
Asst Chief Michelle McLeod
Donald Fleming
Michael Martin
Roderick Newman

CONFIDENTIAL

Jane Draycott
24225 Decker Prairie Rosehill Rd.
Magnolia, Texas 77355

February 17, 2011

City Of Houston
The Firefighters' and Police Officers' Civil Service Commission
c/o Employee Relations/Labor Relations
611 Walker, 4th Floor, Room 411
Houston, Texas 77002

BY HAND DELIVERY

APPEAL OF TEMPORARY SUSPENSION (REVISED)
Case # 2010-0537

Name: Jane Draycott
Employee Number: 116978
Job Classification: Firefighter / EMT
Department: Houston Fire Department

Dear Commission:

I was notified by correspondence from Fire Chief Terry Garrison dated February 2, 2011 that I was temporarily suspended without pay for 15 working days.

By this letter, I am notifying the Commission that I am appealing that Temporary Suspension. I also notify the Commission that I elect, pursuant to Section 143.1016 of Texas Local Government Code, to appeal this temporary suspension to an independent hearing examiner instead of to the Commission.

I understand that by electing to appeal to a hearing examiner, I waive all rights to appeal to a district court except as provided by Texas Local Government Code -- Section 143.1016(j).

Cordially,



Jane Draycott

c: Joe Ahmad
Ahmad, Zavitsanos & Anaipakos, P.C.
1221 McKinney St., # 3460
Houston, Texas 77010

Tim Higley
Sr. Assistant City Attorney
City of Houston
P.O. Box 368
Houston, Texas 77001-0368

2011 FEB 17 PM 4:51
CIVIL SERVICE
COMMISSION
HOUSTON, TEXAS

CONFIDENTIAL

HOU00002598